

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DAVID BRENT OLSON,

Plaintiff,

v.

CIV 13-0813 KG/KBM

STATE OF NEW MEXICO, et al.,

Defendants.

ORDER TO SHOW CAUSE

This matter is before the Court *sua sponte*. In its October 10, 2013 Order Granting Plaintiff's Motion for Leave to Proceed In Forma Pauperis (*Doc. 5*), the Court ordered Plaintiff to amend his Complaint before the Court would issue an order for service of process on his behalf. To date, Plaintiff has not amended his complaint. Thus, there appears to be a manifest lack of interest on the part of Plaintiff in litigating this matter.

The Court has the inherent power to impose a variety of sanctions on litigants in order to, among other things, regulate its docket and promote judicial efficiency. *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984). One such sanction within the discretion of the Court is to dismiss an action for want of prosecution. *E.g.*, *Nat'l Hockey League v. Metro. Hockey Club, Inc.*, 427 U.S. 639, 642-43(1976); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *see also Costello v. United States*, 365 U.S. 265, 286-87 (1961) (district court may dismiss *sua sponte* for failure to comply with order of court); *United States ex rel. Jimenez v. Health Net, Inc.*,

400 F.3d 853, 855 (10th Cir. 2005) (“dismissal is an appropriate disposition against a party who disregards court orders and fails to proceed as required by court rules.”).

Based on Plaintiff’s failure to amend his complaint and the lack of activity in this case, he will be required to show cause why this case should not be dismissed.

Wherefore,

IT IS HEREBY ORDERED that no later than February 7, 2014, Plaintiff shall amend his Complaint as provided in this Court’s Order Granting Plaintiff’s Motion for Leave to Proceed In Forma Pauperis or file with the Court a response to this order showing cause why this case should not be dismissed. Plaintiff is hereby notified that failure to respond to this Order may result in dismissal without further notice.


UNITED STATES CHIEF MAGISTRATE JUDGE